

# County of Los Angeles

Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



JOHN L. SCOTT, SHERIFF

November 17, 2014

Sergeant Daniel Chavez, #[redacted]
[redacted]

Dear Sergeant Chavez:

On October 8, 2014, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2353433. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, your Division Chief determined that the recommended discipline is appropriate.

You are hereby notified that you are reduced in rank from Sergeant, Item No. 2717A, to Deputy Sheriff, Item No. 2708A, effective at the close of business on October 21, 2014.

An investigation under File Number IAB 2353433, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Department's Manual of Policy and Procedures Section 3-01/030.10, Obedience to Laws, Regulations, and Orders (as it pertains to 3-01/010.45, Supervisors; and/or 3-01/020.70, Responsibility for Conduct of Subordinates and/or 3-01/020.25, Chain of Responsibility); and/or 3-01/050.10, Performance to Standards; and/or 3-01/030.05, General Behavior, on or about October 7, 2013, through October 10, 2013, you failed to conform to the work standards established for your rank and position as a sergeant. On October 10, 2013, Deputy Marlin Conde was being counseled for her conduct during an October 7, 2013, incident and subsequent to her counseling it was revealed that you failed to take appropriate supervisory action when you learned that Deputy Marlin Conde may have performed in a manner contrary to the Department's standards. Your conduct brought discredit upon yourself as evidenced by, but not limited to the following:

a. laughing with Marlin Conde after she disclosed to you that she conducted herself in an unprofessional manner in the presence of her peers and unit commander; and/or,

b. inquiring if Marlin Conde would be discipline for her unprofessional conduct rather than exercising your responsibilities to correct behavior, mentor a subordinate, and/or assume ultimate responsibility for supervising your subordinates; and/or,

c. suggesting you would have Marlin Conde "fall on the sword", and/or deny that you told Lieutenant Edward Wells that Deputy Conde behaved unprofessionally.

2. That in violation of the Department's Manual of Policy and Procedures Section 3-01/040.76, Obstructing an Investigation/Influencing a Witness; and/or 3-01/040.70, False Statements, on or about October 22, 2013, you submitted a memorandum to Lieutenant Edward Wells, which contained false statements and/or unduly influenced an investigation by distorting your accounts of your communications with Marlin Conde.

3. That in violation of the Department's Manual of Policy and Procedures Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations, on or about September 8, 2014, you failed to make full, complete and truthful statements during your administrative interview as evidenced by, but not limited to the following:

a. stating you were subpoenaed to appear in court on September 3, 2014; and/or,

b. stating that you inquired of Edward Wells if Marlin Conde was receiving a Performance Log Entry on October 7, 2013, for being late for work, and/or words to that effect; and/or,

c. stating you never told Lieutenant Edward Wells that Marlin Conde admitted to "flipping off" another employee, and/or words to that effect; and/or,

d. denying that you asked if Marlin Conde would receive discipline for "flipping off" another employee on October 7, 2013; and/or,

e. stating you never asked what would happen if you denied having a conversation with Lieutenant Edward Wells regarding Marlin Conde's act of "flipping off" another employee or suggesting that you could convince Marlin Conde to "fall on the sword," and/or words to that effect.

4. That in violation of the Department's Manual of Policy and Procedures Section 3-01/030.10, Obedience to Laws, Regulations, and Orders, on or about September 3, 2014, you failed to obey orders to appear at an Internal Affairs Bureau administrative interview.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

You may appeal the Department's action in this matter pursuant to Rules 4.02, 4.05 and 18.02 of Civil Service Rules.

You may, if you so desire, within fifteen (15) business days from the date of service of this notice of reduction, request a hearing on these charges before the Los Angeles County Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

JOHN L. SCOTT, SHERIFF

David L Fender

DAVID L. FENDER, CHIEF
CUSTODY SERVICES DIVISION-SPECIALIZED PROGRAMS

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

DLF:EMS:DLM:ym

c: Advocacy Unit
David L. Fender, Chief, Custody Services Division Specialized Programs
Internal Affairs Bureau
Personnel Administration
Century Regional Detention /Unit Personnel File